

Order

Michigan Supreme Court
Lansing, Michigan

April 23, 2021

Bridget M. McCormack,
Chief Justice

161262

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

JODY POHLMAN,
Plaintiff-Appellant,

v

SC: 161262
COA: 344121
Oakland CC: 2017-853588-DO

JAMES G. POHLMAN,
Defendant-Appellee.

On November 25, 2020, the Court ordered oral argument on the application for leave to appeal the January 30, 2020 judgment of the Court of Appeals. On order of the Court, the application is again considered. MCR 7.305(H)(1). In light of the appellee's decision not to contest the appellant's application for leave to appeal, we REMAND this case to the Oakland Circuit Court and DIRECT that court to conduct an evidentiary hearing within 56 days of the date of this order. The hearing shall focus on, and the circuit court shall make factual findings as to, the appellant's allegation that her signature on the parties' January 31, 2018 settlement agreement was involuntary because: (1) it was obtained under duress, and (2) it was obtained without the mandatory domestic violence screening required by MCL 600.1035(2) and (3) and MCR 3.216(H)(2). We further ORDER the circuit court to submit a transcript of the hearing, together with its findings, to the Clerk of this Court, within 28 days of the conclusion of the hearing.

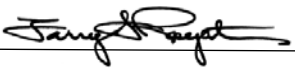
We retain jurisdiction.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 23, 2021


Clerk